

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

WILLIE TERION WASHINGTON,	§	
Petitioner,	§	
	§	
v.	§	Civil Action No.
	§	4:07-CV-721
BOBBY LUMPKIN,	§	
Director, Texas Department of	§	
Criminal Justice, Correctional	§	
Institutions Division,	§	
Respondent.	§	

**PETITIONER'S UNOPPOSED MOTION TO EXTEND DEADLINE FOR  
POST-HEARING BRIEFING**

Petitioner, Willie Terion Washington, respectfully requests that the Court grant the parties a 28-day extension to submit their post-hearing briefing in this case and would respectfully show as follows.

This Court held an evidentiary hearing in this case over five days in August 2024. *See* ECF Nos. 305, 306, 308, 310, 311. On September 6, 2024, the parties proposed submitting post-hearing briefing by no later than November 22, 2024. ECF No. 316. On September 13, 2024 the Court ordered the parties to do so. ECF No. 318.

Mr. Washington respectfully requests that the Court extend the deadline for post-hearing briefing by 28 days, until December 20, 2024. Respondent is unopposed to the requested extension of the parties' briefing deadline. Mr. Washington requests this extension for the following reasons.

First, Mr. Washington's counsel have had several intervening deadlines in the Fifth Circuit for briefs that have required substantial attention. Mr. VerHagen is counsel in *Rubio v. Lumpkin*, No. 24-70004, and filed a Motion for Certificate of Appealability and Brief in Support in that case on October 16, 2024. Mr. Currie is counsel in *Cruz-Garcia v. Lumpkin*, No. 24-70003, and filed a Reply in Support of a Motion for Certificate of Appealability in that case on November 5, 2024. Second, Mr. Washington's counsel have faced several medical issues. Mr. Currie fractured his foot on October 23, 2024, and has missed several days of work due to recuperation and medical appointments. Ms. Edwards missed a week of work due to a serious family medical emergency. Finally, as the Court is aware, this is a procedurally and factually complex case with an extensive record, making the post-hearing briefing particularly time intensive.

Mr. Washington does not seek this extension for purposes of delay or for any other improper purpose, but rather in the interest of justice. Respondent's counsel is agreeable to the requested extension. Mr. Washington therefore respectfully requests that the Court extend the deadline for the parties' post-hearing briefing until December 20, 2024.

Respectfully submitted,

DATED: November 11, 2024

/s/ Derek VerHagen  
DEREK VERHAGEN

/s/ David Currie  
DAVID CURRIE

/s/ McKenzie Edwards  
MCKENZIE EDWARDS

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ATTORNEYS FOR PETITIONER

### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Motion has been served by CM/ECF upon counsel for Respondent on November 11, 2024.

*/s/ David C. Currie*

Assistant Federal Defender

### **CERTIFICATE OF CONFERENCE**

Undersigned counsel has conferred with opposing counsel, Rachel Patton of the Texas State Attorney General's Office, and Ms. Patton is not opposed to this request.

*/s/ David C. Currie*

Assistant Federal Defender